

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
A National Broadband Plan for Our Future) GN Docket No. 09-51

**Comments on behalf of the
Cable and Telecommunications Committee
of the New Orleans City Council**

The Cable and Telecommunications Committee of the New Orleans City Council, through its undersigned counsel, submits these Comments in response to the Notice of Inquiry released by the Federal Communications Commission ("FCC" or "Commission") on April 8, 2009.

Statement of Interest

The Cable and Telecommunications Committee of the New Orleans City Council oversees the City Council's regulatory authority over cable and telecommunications matters and makes recommendations to the full City Council concerning cable television and facilities-based video services. The Committee has a compelling interest in any and all matters as relate to telecommunications, including broadband deployment and use.

Preliminary Statement

In this docket, the FCC seeks comments regarding the development of a national broadband plan for our country; and more specifically, the build-out and utilization of high-speed broadband infrastructure on a national scale. The FCC's goal is to allow every

American citizen and every American business to have access to robust broadband services.

In reaching its goals, the FCC seeks comments on the analysis of several specific elements of broadband deployment. First, the FCC seeks comments on how to implement a plan “to ensure that all people of the United States have access to broadband capability,” including how to address the Congressional directive to “establish benchmarks for meeting that goal.”¹ Second, the FCC seeks comments on how to provide “an analysis of the most effective and efficient mechanisms for ensuring broadband access by all people of the United States.”² Third, the FCC seeks comments on how to develop “a detailed strategy for achieving affordability of such service and maximum utilization of broadband infrastructure and service by the public.”³ Fourth, the FCC seeks comments about how it should evaluate “the status of deployment of broadband service, including progress of projects supported by the grants made pursuant to this section.”⁴ Fifth, the FCC seeks comments on how to develop “a plan for use of broadband infrastructure and services in advancing” a variety of policy goals.⁵ Finally, the FCC seeks comments on how it, in both the development and implementation of a national broadband plan, should work collaboratively with other agencies at all levels of

¹ Recovery Act § 6001(k)(2).

² Recovery Act § 6001(k)(2)(A).

³ Recovery Act § 6001(k)(2)(B).

⁴ Recovery Act § 6001(k)(2)(C).

⁵ Recovery Act § 6001(k)(2)(D).

government, with consumers, with the private sector, and with other organizations.⁶

DISCUSSION

The City of New Orleans supports the Commission's focus on access to broadband. The provisioning of a national broadband plan is as important as the integration of any economic stimulus plan. In this instance however, changes in technology continue to proceed at lightening speed, so a specific detailed communications infrastructure solution that fits today's needs are unlikely to meet foreseeable future needs. Changes in technology also means social and environmental change, as we know, having entered into the information age resulting in massive changes in commercial and inter-personal structures. Therefore, the Commission must keep in mind that without a strong foundation, a national broadband plan can go off track.

First, the Commission seeks comments on how to implement a plan "to ensure that all people of the United States have access to broadband capability," including how to "establish benchmarks for meeting that goal."⁷ The City of New Orleans firmly believes that implementation of a broadband plan should begin at the state and local level. State and local authorities are better able to assess the needs of their local communities and constituencies, and are more aware of the level of technology required to ensure that all their constituencies have access to broadband.

Second, the Commission seeks comments on how to provide "an analysis of the most

⁶ Recovery Act § 6001(k)(3).

⁷ Recovery Act § 3001(k)(2).

effective and efficient mechanisms for ensuring broadband access to all people.”⁸ The City of New Orleans believes that most conclusive analysis of effective and efficient mechanisms for ensuring broadband access to all will be provided by state and local authorities. State and local authorities would be in the best position to provide the Commission with an understanding of the economics that the operators will be facing in addressing the broadband opportunity in “underserved” and “unserved” areas of the United States. In the United States, there remain significant geographic areas and population segments that are still unable to obtain broadband telecommunications service at affordable prices. This uneven degree of network access perpetuates the technology gap along economic and geographic lines. Geographically, most underserved and unserved locations are likely in rural, sparsely-populated parts of the country, in effect, areas that are relatively more costly to serve. Such high-cost parts of the country have historically caused disadvantages in traditional communications, as well as other utilities, for such rural citizens. The highest priority of any national broadband plan should be to expand the nation’s broadband footprint to unserved areas. Communities without access to broadband are at a severe economic disadvantage in serving its citizens. No broadband access also means limited ranges and means of providing the newest capabilities in public safety, education and healthcare. Deployment to unserved areas will promote the goals of the Recovery act, including advancing consumer welfare, civic participation, public safety and homeland security, community development, health care delivery, energy independence and efficiency, worker training, private sector investment,

⁸ Recovery Act § 6001(k)(2)(A).

entrepreneurial activity, and job creation and economic growth.

Third, the Commission seeks comments on how to develop a strategy on achieving affordability regarding providing broadband access to all people. As we understand it, significant broadband deployment to unserved areas in the State of Louisiana is not economically feasible at this time without government grant funding. In pursuing a national broadband policy, the Commission should therefore identify the type of broadband infrastructure that would be suitable for rural and urban areas of the country, and then recommend the appropriate subsidies for this infrastructure. We believe that this is best done through a collaboration between state and local authorities and broadband service providers, which are better situated to assess the costs and expenses needed to deploy broadband in various communities.

National funding agencies should refer to state and local authorities for the sustainability of broadband services and projects to guide stimulus funding. We believe that stimulus funding should be applied to broadband projects that are sustainable for the long-term benefit of local communities. Factors of sustainability should include elements such as revenues, market reach of a provider, broadband support for economic development in an area, multi-lateral commercial and governmental partnerships, additional funding sources, open-access reach of the network, adoption by anchor tenants, and local enterprise migration to proposed networks. Grants of stimulus funding should be given with a view that they can sustain a viable broadband activity network for at least 10 to 15 years.

For long-term impact of broadband deployment, funding should be focused on

accommodating future service expansion and broadband infrastructure construction. Building infrastructure once with long-term capacity in mind is more cost-effective and potent than to rebuild the infrastructure again in the short-term future. The Commission thus should set realistic funding targets to areas that would have the most significant long-term economic impact and to those communities where market forces have never fully developed or have gradually dissipated due environmental impact or economic downturn.

Fourth, the Commission seeks comments on how to evaluate the status of broadband deployment. In the development of a national broadband plan, it is important to collect data sufficient to measure broadband progress. A complete broadband strategy should incorporate benchmarks, deployment timetables, and measurable thresholds to gauge progress and deployment. We believe the best gauge of broadband progress would be provided by state and local communities who would be in a better position to assess broadband impact on their constituencies.

The Commission and other governmental agencies (such as the National Telecommunications and Information Administration, the Department of Agriculture, and the Rural Utilities Service) should endeavor to achieve as much consistency and overlap in their approaches to data collection as possible. Data collection for the baseline broadband inventory map should thus be substantially the same, if not identical.

Fifth, the Commission seeks comments on how to develop a plan for use of broadband infrastructure and services in advancing policy goals, such as broadband access to all people. We believe that in order to best deploy broadband service and attain

connectivity, local communities need educational, planning, technical feasibility, financial and engineering assessment funding to effectively plan for broadband deployment and to apply for appropriate resources to connect their communities. Without sufficient and necessary funding to learn about and prepare for broadband connectivity, both rural and urban communities will be ill-prepared for broadband deployment to and in their communities. Not knowing about or being able assess their needs and their capacity to prepare for broadband connectivity, communities would be slow in implementing a national broadband plan.

Finally, the Commission seeks comments on how it should work with other agencies in developing a broadband plan. The Commission should solicit input from other agencies as well as from various organizations such as: the National League of Cities, the U.S. Chamber of Commerce, the National Association for the Advancement of Colored People (“NAACP”), and the National Urban League; and provide the appropriate grant opportunities where needed. The Commission might also consider retaining one or more national consulting firms to assist it with data collection, data analysis and plan deployment.

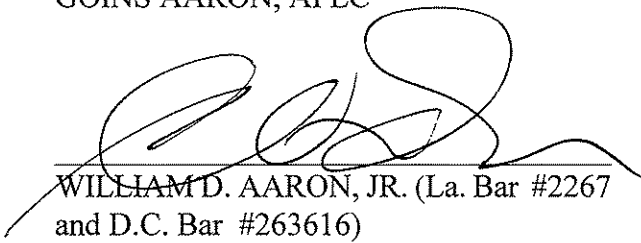
Conclusion

The FCC can play a prominent role in ensuring the implementation of a national broadband plan to every rural and urban community in the United States. The implementation of a national broadband plan is essential in order to maximize the potential of every American. Broadband is a critical infrastructure of our economy, and it is best implemented at the state and local level. In addition, it is of utmost importance that a national

broadband plan include clear policy goals, enforced by strong foundation of the needs of both rural and urban areas, both underserved and unserved areas, as well as making innovative technology more widely available and affordable to everyone. Finally, funding should be focused on accommodating future service expansion and broadband infrastructure construction.

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